

NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening when an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

NOTICE OF RULEMAKING DOCKET OPENING BOARD OF ACCOUNTANCY

[R05-237]

1. **Title and its heading:** 4, Professions and Occupations
Chapter and its heading: 1, Board of Accountancy
Article and its heading: 3, Certification
Section numbers: R4-1-341, R4-1-341.01, R4-1-342, R4-1-343, and R4-1-346
2. **The subject matter of the proposed rule:**
Clarify language and definitions, remove reference to non-Arizona examinee, and allow registrants other means to notify the Board of a change of address
3. **A citation to all published notices relating to the proceeding:**
None published
4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Valerie M. Elliott, Executive Director
Address: Arizona State Board of Accountancy
100 N. 15th Ave., Ste. 165
Phoenix, AZ 85007
Telephone: (602) 364-0804
Fax: (602) 364-0903
E-mail: velliott@azaccountancy.gov
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**
The Board will accept written comment during regular business hours at the address listed in item #4 until the close of record, which has not yet been determined.
The Board has not scheduled an oral proceeding at this time.
6. **A timetable for agency decisions or other action on the proceeding, if known:**
The Board expects to file a Notice of Proposed Rulemaking with the Secretary of State's office in July 2005.

NOTICE OF RULEMAKING DOCKET OPENING BOARD OF ACCOUNTANCY

[R05-236]

1. **Title and its heading:** 4, Professions and Occupations
Chapter and its heading: 1, Board of Accountancy
Article and its heading: 4, Regulation
Section numbers: R4-1-454 and R4-1-455.03
2. **The subject matter of the proposed rule:**
Update material incorporated by reference and statutory reference
3. **A citation to all published notices relating to the proceeding:**
None published
4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Valerie M. Elliott, Executive Director
Address: Arizona State Board of Accountancy
100 N. 15th Ave., Ste. 165
Phoenix, AZ 85007
Telephone: (602) 364-0804
Fax: (602) 364-0903

Notices of Rulemaking Docket Opening

E-mail: velliott@azaccountancy.gov

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

The Board will accept written comment during regular business hours at the address listed in item #4 until the close of record, which has not yet been determined.

The Board has not scheduled an oral proceeding at this time.

6. A timetable for agency decisions or other action on the proceeding, if known:

The Board expects to file a Notice of Proposed Rulemaking with the Secretary of State's office in July 2005.

NOTICE OF RULEMAKING DOCKET OPENING

BOARD OF ACCOUNTANCY

[R05-235]

- 1. Title and its heading:** 4, Professions and Occupations
Chapter and its heading: 1, Board of Accountancy
Article and its heading: 4, Regulation
Section number: R4-1-456

2. The subject matter of the proposed rule:

Self disclosure to included actions imposed by the Public Company Accounting Oversight Board and the American Institute of Certified Public Accountants and receipt of modified or adverse peer review report

3. A citation to all published notices relating to the proceeding:

None published

4. The name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Valerie M. Elliott, Executive Director

Address: Arizona State Board of Accountancy
100 N. 15th Ave., Ste. 165
Phoenix, AZ 85007

Telephone: (602) 364-0804

Fax: (602) 364-0903

E-mail: velliott@azaccountancy.gov

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

The Board will accept written comment during regular business hours at the address listed in item #4 until the close of record, which has not yet been determined.

The Board has not scheduled an oral proceeding at this time.

6. A timetable for agency decisions or other action on the proceeding, if known:

The Board expects to file a Notice of Proposed Rulemaking with the Secretary of State's office in July 2005.

NOTICE OF RULEMAKING DOCKET OPENING

BOARD OF PHARMACY

[R05-234]

- 1. Title and its heading:** 4, Professions and Occupations
Chapter and its heading: 23, Board of Pharmacy
Articles and their headings: 6, Permits and Distribution of Drugs
10, Uniform Controlled Substances and Drug Offenses
(As part of this rulemaking, the Board may add, delete, or modify additional articles as necessary.)
Section numbers: R4-23-601 and R4-23-1003
(As part of this rulemaking, the Board may add, delete, or modify additional Sections as necessary.)

2. The subject matter of the proposed rule:

During the 2003 legislative session, the Legislature changed A.R.S. § 32-1964 to require that prescription records be maintained for at least seven years instead of three. Since that statutory change occurred, the Board has been moving to change all citations within the Board's rules pertaining to records maintenance from three years to seven years. During the Board's June 2005 five-year rule review, the Board determined that R4-23-1003 (Records and Order Forms) contained two subsections with a three-year records retention clause. The proposed rules will change R4-23-1003(A)(1)(f) and (A)(4) to require that inventory records be available for seven years instead of three. The Board

Notices of Rulemaking Docket Opening

staff identified R4-23-601 (General Provisions) as containing a subsection with a three-year records retention clause. The proposed rules will change R4-23-601(D)(2) to require that records of receipt and disposal of drugs be kept for seven years instead of three. The Board feels these changes are necessary to maintain the consistency of the proposed rules with existing Board statutes and rules. The rule will include format, style, and grammar necessary to comply with the current rules of the Secretary of State and Governor's Regulatory Review Council.

The agency docket number, if applicable: R0506

3. A citation to all published notices relating to the proceeding:

None

4. The name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Dean Wright, Compliance Officer

Address: Arizona Board of Pharmacy
4425 W. Olive Ave., Suite 140
Glendale, AZ 85302

Telephone: (623) 463-2727, ext. 131

Fax: (623) 934-0583

E-mail: rxcop@cox.net

5. The time during which the agency will accept written comments:

The Board will accept written comments Monday through Friday, 8 a.m. to 5 p.m.

The time and place where oral comments may be made:

Time: Monday through Friday, 8 a.m. to 4:30 p.m.

Location: Arizona Board of Pharmacy
4425 W. Olive Ave., Suite 140
Glendale, AZ 85302

Nature: Oral comments

Written and oral comments will be accepted until the close of record on a date and at a time as yet undetermined.

6. A timetable for agency decisions or other action on the proceeding, if known:

None

NOTICE OF RULEMAKING DOCKET OPENING

**DEPARTMENT OF ENVIRONMENTAL QUALITY
UNDERGROUND STORAGE TANKS**

[R05-232]

1. Title and its heading:

18, Environmental Quality

Chapter and its heading:

12, Department of Environmental Quality – Underground Storage Tanks

Article and its heading:

1, Definitions; Applicability

Section numbers:

6, Underground Storage Tank Assurance Fund

R18-12-101 and R18-12-601 through R18-12-615

(As part of this rulemaking, other sections may be added, amended, or deleted as necessary.)

2. The subject matter of the proposed rule:

The Arizona Department of Environmental Quality will propose rules to amend the underground storage tank assurance fund rules so that they reflect current statutes. The statutes governing the state assurance account have changed since the rules were last revised in May 1996. With stakeholder input, ADEQ will propose to update the state assurance fund rules.

3. A citation to all published notices relating to the proceeding:

Notice of Rulemaking Docket Opening: 10 A.A.R. 509, February 13, 2004 (expired)

4. The name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Phil McNeely

Address: 1110 W. Washington St.
Phoenix, AZ 85007

Telephone: (602) 771-7645

Fax: (602) 771-4381

E-mail: pam@azdeq.gov

Notices of Rulemaking Docket Opening

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

To be announced in the Notice of Proposed Rulemaking

6. A timetable for agency decisions or other action on the proceeding, if known:

To be announced in the Notice of Proposed Rulemaking